



CONGRESSIONAL BUDGET OFFICE  
PAY-AS-YOU-GO ESTIMATE

October 10, 1997

**S. 996**

**An act to provide for the authorization of appropriations in each fiscal year for arbitration in United States district courts**

*As cleared by the Congress on September 30, 1997*

S. 996 would amend the Judicial Improvements Act of 1990 (Public Law 101-650), which created 13 temporary district court judgeships and required that the next vacancy in each of the 13 affected districts occurring five years after the effective date of the act (December 1, 1990) not be filled. Thus, provisions of Public Law 101-650 were enacted with the intent of providing each district with the benefit of an additional judgeship for at least five years. However, because of delays in the nomination and confirmation process, many districts have not realized the benefit of having an additional judge serving for the intended minimum five-year period. Enacting S. 996 would change the date for starting to leave vacancies unfilled to 10 years after the confirmation date of the temporary judge (except only five years for the eastern district of Pennsylvania), rather than five years after the effective date of the Judicial Improvements Act of 1990. S. 996 would exempt the western district of Michigan from the date extension provision.

Based on information from the Administrative Office of the United States Courts (AOUSC), CBO expects that enacting this legislation would increase mandatory costs associated with the salaries and benefits of district court judges. Increased costs would be incurred in most of the 12 affected district courts over the next 10 years when a judgeship is vacated and filled while the temporary judgeship is in place.

Based on information from the AOUSC, which took into account projections of retirements in each of the 12 affected districts and the time it takes to nominate and confirm judges, CBO estimates that S. 996 would result in \$5 million in new mandatory spending from 1998 through 2002 for salaries and benefits of judges. We estimate that the bill would cost about \$1 million each year through 2005 and less than \$500,000 a year in 2006 and 2007. CBO estimates that, on average during the 1998-2007 period, about 10 more judgeships would be occupied under this act than under current law—resulting in more than 30 additional work-years for judges. The following table summarizes the projected changes in direct spending

for fiscal years 1998-2007. For purposes of enforcing pay-as-you-go procedures, however, only the effects in the budget year and the succeeding four years are counted.

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Estimated Effects of S. 996 on Direct Spending and Receipts

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	By Fiscal Year, in Millions of Dollars									
	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Changes in outlays	0	1	1	2	1	1	1	1	0	0
Changes in receipts	Not applicable									

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The CBO staff contact for this estimate is Susanne S. Mehlman. This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.